

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

Crl.Misc.No.60226-M of 2006

DATE OF DECISION: NOVEMBER 16, 2006

Kul Bhushan Rana

...PETITIONER

*VERSUS*

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Vikram Chaudhri, Advocate,  
for the petitioner.  
Mr.M.S.Sindhu, DAG, Haryana.

...

Petitioner Kul Bhushan Rana apprehending his arrest in a non-bailable offence in case FIR No.135 dated 26.4.2006 (initially registered under Sections 148/149/323/452/354/506 IPC at Police Station City Sonapat) and subsequently on the statement of accused Jaidev Sharma, a cross version has been registered on 7.6.2006 under Sections 323/406/418/420/120-B/427 IPC, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that the only allegation against the petitioner is that he hit from his belt on the head of Deepak and the said injury according to the counsel for the petitioner is simple in nature. After 40 days of the registration of the FIR, on the statement of Jaidev Sharma, cross version was recorded in which even no role has been attributed to the petitioner.

Counsel for the petitioner further contends that in terms of the interim order dated September 28, 2006, the petitioner has joined the investigation. Counsel for the respondent-State does not dispute this fact and further on instructions from ASI Devinder Kumar states that the petitioner is no more required for further investigation.

In view of the above, without expressing any opinion on the merits of the case, the interim order dated September 28, 2006 is made absolute on the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter, the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

November 16, 2006  
vkg

(SATISH KUMAR MITTAL)  
JUDGE